

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 9437
)	
Hirofumi MIYAJIMA et al.)	Group Art Unit: 2828
)	
Application No.: 10/591,229)	Examiner: Phillip Nguyen
)	
Filed: May 21, 2007)	Allowed: July 2, 2008
)	
For: SEMICONDUCTOR LASER ELEMENT)	
AND SEMICONDUCTOR LASER)	
ELEMENT ARRAY)	

Commissioner for Patents
MAIL STOP ISSUE FEE
Washington, D.C. 20231
Sir:

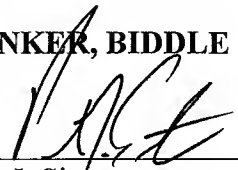
REQUEST FOR ACKNOWLEDGEMENT OF PTO-1449

Applicants submitted an Information Disclosure Statement (IDS) citing several references in the U.S. Patent and Trademark Office on August 31, 2006, in the above-identified application. The Examiner returned the Form PTO-1449 with the Notice of Allowance dated July 2, 2008; however, the form was only partially initialed.

Please send an initialized copy evidencing consideration of the Boucke et al. article entitled "Development of High-Brightness Diode Laser – The Z Laser," preferably by facsimile, and if any citation is lined through, please be sure to explain why per MPEP 609. A copy of the Information Disclosure Statement, Form PTO-1449, and the PTO date-stamped postcard receipt are enclosed for the Examiner's convenience. Thank you.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Peter J. Sistiare
Reg. No. 48,183

Dated: September 25, 2008

CUSTOMER NO. 055694
DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202) 204-0289

COPY



DrinkerBiddle&Reath

A Pennsylvania Limited Liability Partnership

Suite 1100

1500 K Street, N.W.

Washington, DC 20005-1209

202-842-8800 Phone

202-842-8465/66 Fax

The official date stamp of the United States Patent and Trademark Office hereon is acknowledgment of the receipt of:

I. Application

- ☒ A. Application Transmittal
- ☐ Provisional
 - ☒ Utility
 - ☐ Design
 - ☐ Plant
- ☐ B. Continuation/Divisional/Continuation-In-Part
- ☐ § 1.53(b)
 - ☐ § 1.53 (f) – fee not included
- ☒ C. English Language Specification: **52** Sheet(s)
- ☒ D. **12** Total Claim(s)
- ☒ E. **23** Sheets of Drawing(s)
(containing Figures 1A-23)
- ☐ F. Small Entity
- ☐ G. Combined Declaration & Power of Attorney

II. Prosecution Documents

- ☐ A. Notice of Appeal
- ☒ B. Preliminary Amendment
- ☐ C. Certified copy of _____ filed _____
- ☒ D. Information Disclosure Statement
- ☒ PTO Form 1449
 - ☒ 6 Reference(s)

III. Post Issuance

- ☐ A. _____ Maintenance Fee
- ☐ B. Request for Correction of Letters Patent

IV. Recordation

- ☐ A. Assignment
- ☐ B. Security Interest Agreement (Number of Patents Covered: _____)
- ☐ C. Change of Name, Merger or Other Transfer Document (Number of Patents Covered: _____)
- ☐ D. PTO Recordation Form Cover Sheet

VI. Payment

- ☒ Check No. 36920 for **\$900.00**
- ☐ Fee Transmittal PTO/SB/17
- ☐ Deposit Account No. _____ for \$ _____

VII. Other

- ☒ A. Transmittal Letter
- ☒ B. PCT/IB/304
- ☒ C. PCT/IB/308
- ☒ D. PCT/ISA/210 (International Search Report Mailed May 24, 2005)
- ☒ E. Front page of WO 2005/086303

Date:	<u>August 31, 2006</u>
Client No.:	<u>46884</u>
Attorney Docket No./File No.:	<u>46884-5511</u>
Matter No.:	<u>230893</u>
Title:	<u>SEMICONDUCTOR LASER ELEMENT AND SEMICONDUCTOR LASER ELEMENT ARRAY</u>
Inventor(s):	<u>Hirofumi MIYAJIMA et al.</u>
Application/Patent No.	<u>NEW</u>
Attorney:	<u>Peter J. Sistare</u>
Confirmation No.	<u>Unassigned</u>
Secretary:	<u>Eileen Ferrier</u>

DOCKETED

BY WJ DATE 8/31/06

 COPY

PATENT
ATTORNEY DOCKET NO. 46884-5511

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Hirofumi MIYAJIMA et al.)	Confirmation No.: Unassigned
)	
Application No.: NEW)	Group Art Unit: Unassigned
)	
Filed: August 31, 2006)	Examiner: Unassigned
)	
For: SEMICONDUCTOR LASER ELEMENT AND)	
SEMICONDUCTOR LASER ELEMENT)	
ARRAY)	

Commissioner for Patents
U.S. Patent and Trademark Office

Customer Window Mail Stop: ☒ New Application ☐ Amendment ☐ AF ☐ Issue Fee
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT (IDS)

☒ **Under 37 C.F.R. § 1.97(b):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(d):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; and

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(i):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(i), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(d). Applicant requests that the IDS be placed in the file.

☒ A search report or other listing of documents from a counterpart, related, or other application dated May 24, 2005 and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

☒ Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

 **COPY**

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Peter J. Sistare

Registration No. 48,183

Dated: August 31, 2006

CUSTOMER NO. 055694

DRINKER, BIDDLE & REATH LLP

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005-1209

Tel: 202.842.8800; Fax: 202.842.8465

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Attorney Docket No.: 46884-5511	Serial No.: NEW
	Applicants Hirofumi MIYAJIMA et al.	Page 1 of 1
PTO Form 1449	Filing Date: August 31, 2006	Group Art Unit: Unassigned

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO
5-167197	Jul. 2, 1993	JP			Abstract
10-41582	Feb. 13, 1998	JP			Abstract
10-284805	Oct. 23, 1998	JP			Abstract
00/48277	Aug. 17, 2000	WO			Abstract

OTHER DOCUMENTS

(Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

	Konstantin BOUCKE, et al. "Development of High-Brightness Diode Lasers – The Z Laser," pp. 1-5.
	Dr. Konstantin BOUCKE. "In Search of the Ultimate Diode Laser," <u>Photonics Spectra</u> , September 2001, p. 122-126.

Examiner	Date Considered
----------	-----------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.